



08/26/2005 16:46 FAX 2155684992

VOLPE-KOENIG

001/013



United Plaza, Suite 1600
30 South 17th Street
Philadelphia, PA 19103

Telephone: +1-215-568-6400
Facsimile: +1-215-568-6499
www.volpe-koenig.com

mail@volpe-koenig.com

FACSIMILE COVER SHEET

TO: Office of Initial Patent Examination, Customer Service Center

FAX NO.: 571-273-8300

FROM: Scott Wolinsky; Registration No. 46,413

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the **PATENT APPLICATION** of:

Stephen E. Terry et al.

Application No.: 10/768,313

Confirmation No.: 6324

Filed: January 30, 2004

For: DYNAMIC CHANNEL QUALITY
MEASUREMENT PROCEDURES FOR
OPTIMIZING DATA TRANSMISSION IN A
WIRELESS DIGITAL COMMUNICATION
SYSTEM

Group: 2684

Examiner: Not yet known

Our File: I-2-0192.5US

Date: August 26, 2005

VIA FACSIMILE

TO 703-746-9195


Enclosed are:

- 1) A Request For Corrected Filing Receipt, 2 pages;
- 2) A marked-up copy of the Filing Receipt, 2 pages;
- 3) A copy of the Declaration and Power of Attorney, 5 pages; and
- 4) A Supplemental Application Data Sheet, 3 pages.

Comments:

NOTIFY DIANE THATCHER IF TRANSMISSION IS NOT COMPLETE OR
LEGIBLE.

I hereby certify that this paper is being transmitted via facsimile to 571-273-8300 at the United States
Patent and Trademark Office on August 26, 2005.


Diane Thatcher

August 26, 2005
Date

Patents

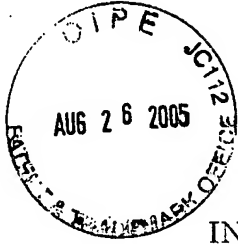
Trademarks

Copyrights

Trade Secrets

Litigation

Licensing



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the PATENT APPLICATION of:

Stephen E. Terry et al.

Application No.: 10/768,313

Confirmation No.: 6324

Filed: January 30, 2004

For: DYNAMIC CHANNEL QUALITY
MEASUREMENT PROCEDURES FOR
OPTIMIZING DATA TRANSMISSION IN A
WIRELESS DIGITAL COMMUNICATION
SYSTEM

Group: 2684

Examiner: Not yet known

Our File: I-2-0192.5US

Date: August 26, 2005

VIA FACSIMILE

TO 703-746-9195

REQUEST FOR CORRECTED FILING RECEIPT

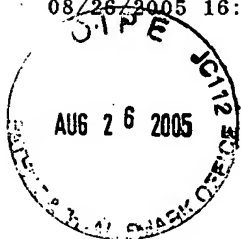
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Enclosed is a marked-up copy of the filing receipt for the above-identified patent application and a Supplemental Application Data Sheet. Upon proofing, it was noted that the filing receipt is incorrect. There are two changes that need to be made.

The Power of Attorney has been omitted. Attached is a copy of the Declaration and Power of Attorney showing that Power of Attorney is to Customer No. 24374.

With respect to the title, please delete "optmizing" and insert therefor --optimizing--.



Applicant: Stephen E. Terry et al.
Application No.: 10/768,313

Applicants respectfully request that a corrected Filing Receipt be issued.

Respectfully submitted,

Stephen E. Terry et al.

By Scott Wolinsky
Scott Wolinsky
Registration No. 46,413
(215) 568-6400

Volpe and Koenig, P.C.
United Plaza, Suite 1600
30 South 17th Street
Philadelphia, PA 19103

SW/dt
Enclosure

AUG 26 2005
UNITED STATES PATENT AND TRADEMARK OFFICEUNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/768,313	01/30/2004	2684	942	I-2-0192.5US	2	14	5

24374
VOLPE AND KOENIG, P.C.
DEPT. ICC
UNITED PLAZA, SUITE 1600
30 SOUTH 17TH STREET
PHILADELPHIA, PA 19103RECEIVED
AM/PM

JUN 18 2004

VOLPE & KOENIG, P.C.

CONFIRMATION NO. 6324

FILING RECEIPT



OC000000012964167

Date Mailed: 06/16/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Stephen E. Terry, Northport, NY;
Stephen G. Dick, Nesconset, NY;
James M. Miller, Verona, NJ;
Eldad Zeira, Huntington, NY;
Ariela Zeira, Huntington, NY;

Assignment For Published Patent Application

InterDigital Technology Corporation, Wilmington, DE;

POWER OF ATTORNEY; THE PATENT PRACTITIONERS ASSOCIATED

Domestic Priority data as claimed by applicant

This application is a CON of 10/029,569 12/21/2001
which claims benefit of 60/290,877 05/14/2001

WITH CUSTOMER NUMBER
24374

Foreign Applications

If Required, Foreign Filing License Granted: 06/16/2004

Projected Publication Date: 09/23/2004

Non-Publication Request: No

Early Publication Request: No

DOCKETED

7/18/04 Request for Corrected Filing
Receipt

Title

Dynamic channel quality measurement procedures for **OPTIMIZING** data transmission in a wireless digital communication system

Preliminary Class

455

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



Express Mail Label No. EV 396081488 US

~~Express Mail Label No. EL919949278US~~Please type a plus sign (+) inside this box → ☐

PTO/SB/01 (12-97)
 Approved for use through 8/30/00. OMB 0651-0032
 Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

**DECLARATION FOR UTILITY OR
 DESIGN
 PATENT APPLICATION
 (37 CFR 1.63)**

☒ Declaration Submitted with Initial Filing **OR** ☐ Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)

Attorney Docket Number I-2-192.1US

First Named Inventor TERRY, et al.

COMPLETE IF KNOWN

Application Number Not Yet Known

Filing Date Not Yet Known

Group Art Unit Not Yet Known

Examiner Name Not Yet Known

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**DYNAMIC CHANNEL QUALITY MEASUREMENT PROCEDURE FOR
 ADAPTIVE MODULATION AND CODING TECHNIQUES**

the specification of which (Title of the invention)

☒ is attached hereto
 OR

☐ was filed on (MM/DD/YYYY) as United States Application Number or PCT International

Application Number and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
			<input type="checkbox"/>	YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

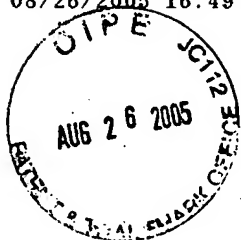
☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)	
60/290,877	05/14/2001	<input type="checkbox"/> Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

(Page 1 of 2)

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

Please type a plus sign (+) inside this box → ☐
 PTO/SB/01 (12-97)
 Approved for use through 9/30/00. OMB 0651-0032
 Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

DECLARATION — Utility or Design Patent Application

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application or PCT Parent Number	Parent Filing Date (MM/DD/YYYY)	Parent Patent Number (if applicable)

☐ Additional U.S. or PCT international application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

As a named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: ☒ Customer Number 24374 OR ☐ Registered practitioner(s) name/registration number listed below

Place Customer Number Bar Code Label here

Name	Registration Number	Name	Registration Number
Namely, the Attorneys of Volpe and Koenig, P.C.			

☐ Additional registered practitioner(s) named on supplemental Registered Practitioner Information sheet PTO/SB/02C attached hereto.

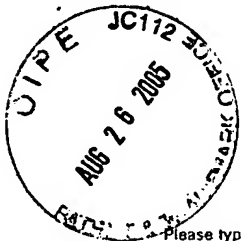
 Direct all correspondence to: ☒ Customer Number 24374 OR ☐ Correspondence address below

Name	VOLPE AND KOENIG, P.C. DEPT ICC				
Address					
Address					
City		State		ZIP	
Country		Telephone		Fax	

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of Sole or First Inventor:		<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name (first and middle (if any))			Family Name or Surname		
Stephen E.			TERRY		
Inventor's Signature					Date
Residence: City		State	Country	Citizenship	
Northport		NY	USA	USA	
Post Office Address					
15 Summit Avenue					
Post Office Address					
City	State	ZIP	Country		
Northport	NY	11768	USA		

☒ Additional inventors are being named on the 2 supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto



Express Mail Label No. _____

Please type a plus sign (+) inside this box →

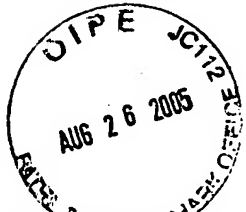
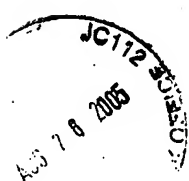


PTO/SB/02A (11-00)
 Approved for use through 10/31/2002. OMB 0651-0032
 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
 Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

DECLARATION	ADDITIONAL INVENTOR(S) Supplemental Sheet Page <u>1</u> of <u>2</u>
--------------------	--

Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
Stephen G.		DICK	
Inventor's Signature <i>Stephen G. Dick</i>		Date <i>20 Dec 2001</i>	
Residence: City Nesconset	State NY	Country USA	Citizenship USA
Mailing Address 61 Bobann Drive			
Mailing Address			
City Nesconset	State NY	ZIP 11767	Country USA
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
James M.		MILLER	
Inventor's Signature <i>James M. Miller</i>		Date	
Residence: City Verona	State NJ	Country USA	Citizenship USA
Mailing Address 18 Louisburg Square			
Mailing Address			
City Verona	State NJ	ZIP 07044	Country USA
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
Eldad		ZEIRA	
Inventor's Signature		Date	
Residence: City Huntington	State NY	Country USA	Citizenship USA
Mailing Address 239 West Neck Rd.			
Mailing Address			
City Huntington	State NY	ZIP 11743	Country USA

Burden Hour Statement: This form is estimated to take 21 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



Express Mail Label No. 396081488 US
 Express Mail Label No. EL01094927005

Please type a plus sign (+) inside this box → ☐

PTO/SB/02A (11-00)

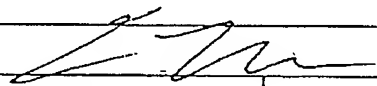
Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

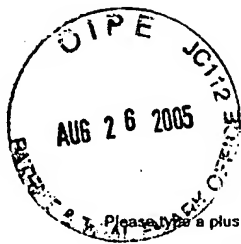
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

DECLARATION

ADDITIONAL INVENTOR(S)
 Supplemental Sheet
 Page 1 of 2

Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Stephen G.		DICK	
Inventor's Signature		Date	
Residence: City Nesconset	State NY	Country USA	Citizenship USA
Mailing Address 61 Bobann Drive			
Mailing Address			
City Nesconset	State NY	ZIP 11767	Country USA
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
James M.		MILLER	
Inventor's Signature		Date	
Residence: City Verona	State NJ	Country USA	Citizenship USA
Mailing Address 18 Louisburg Square			
Mailing Address			
City Verona	State NJ	ZIP 07044	Country USA
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Eldad		ZEIRA	
Inventor's Signature 		Date 12/20/01	
Residence: City Huntington	State NY	Country USA	Citizenship USA
Mailing Address 239 West Neck Rd.			
Mailing Address			
City Huntington	State NY	ZIP 11743	Country USA

Burden Hour Statement: This form is estimated to take 21 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



Express Mail Label No. _____

Please type a plus sign (+) inside this box → ☐

PTO/SB/02A (11-00)

Approved for use through 10/31/2002. OMB 0651-0032

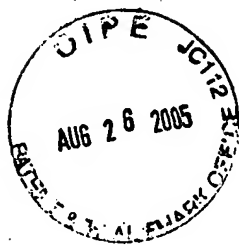
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

DECLARATION**ADDITIONAL INVENTOR(S)
Supplemental Sheet**
Page 2 of 2

Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Ariela		ZEIRA	
Inventor's Signature <i>A. J.</i>		Date <i>12/20/05</i>	
Residence: City	Huntington	State	NY
Country	USA	Citizenship	USA
Mailing Address 239 West Neck Rd.			
Mailing Address			
City	Huntington	State	NY
ZIP	11743	Country	USA
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Inventor's Signature		Date	
Residence: City		State	
Country		Citizenship	
Mailing Address			
Mailing Address			
City		State	
ZIP		Country	
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Inventor's Signature		Date	
Residence: City		State	
Country		Citizenship	
Mailing Address			
Mailing Address			
City		State	
ZIP		Country	

Burden Hour Statement: This form is estimated to take 21 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



**SUPPLEMENTAL APPLICATION DATA SHEET
UNDER 37 CFR §1.76(c)**

(1) Inventor Information

Inventor One Given Name:: Stephen E.
Family Name:: Terry
Postal Address Line One:: 15 Summit Avenue
City:: Northport
State or Province:: New York
Postal or ZIP Code:: 11768
Citizenship Country:: United States of America
Residence:: Northport, New York, U.S.A.

Inventor Two Given Name:: Stephen G.
Family Name:: Dick
Postal Address Line One:: 61 Bobann Drive
City:: Nesconset
State or Province:: New York
Postal or ZIP Code:: 11767
Citizenship Country:: United States of America
Residence:: Nesconset, New York, U.S.A.

Inventor Three Given Name:: James M.
Family Name:: Miller
Postal Address Line One:: 18 Louisburg Square
City:: Verona
State or Province:: New Jersey
Postal or ZIP Code:: 07044
Citizenship Country:: United States of America
Residence:: Verona, New Jersey, U.S.A.

Inventor Four Given Name:: Eldad
Family Name:: Zeira
Postal Address Line One:: 239 West Neck Road
City:: Huntington
State or Province:: New York
Postal or ZIP Code:: 11473
Citizenship Country:: United States of America
Residence:: Huntington, New York, U.S.A.

Inventor Five Given Name:: Ariela
Family Name:: Zeira
Postal Address Line One:: 239 West Neck Road
City:: Huntington
State or Province:: New York
Postal or ZIP Code:: 11473
Citizenship Country:: United States of America
Residence:: Huntington, New York, U.S.A.

(2) Assignee Information

Name Line One:: InterDigital Technology Corporation
Address Line One:: 300 Delaware Avenue
Address Line Two:: Suite 527
City:: Wilmington
State or Province:: Delaware, U.S.A.
Postal or ZIP Code:: 19801

(3) Correspondence Information

Customer No.: 24374
Name Line One:: Scott Wolinsky
Name Line Two:: Volpe and Koenig, P.C., DEPT ICC
Telephone No.: 215-568-6400

(4) Application Information

Title Line One:: DYNAMIC CHANNEL QUALITY
Title Line Two:: MEASUREMENT PROCEDURES FOR
Title Line Three:: ~~OPTIMIZING~~ OPTIMIZING DATA
Title Line Four:: TRANSMISSION IN A WIRELESS
Title Line Five:: DIGITAL COMMUNICATION SYSTEM
Total Drawing Sheets:: Two (2)
Drawing Type:: Formal
Application Type:: Utility
Docket No.: I-2-0192.5US

(5) Representative Information

Representative Customer No.: 24374

(6) Domestic Priority Information

This application is a: Continuation of
Application One: 10/029,569
Filing Date: December 21, 2001

which is a: NonProvisional of
Application Two: 60/290,877
Filing Date: May 14, 2001